

**III. REMARKS**

1. It is noted that the Examiner again refers to Lagerqvist et al., U.S. Patent No. 5,502,714. It is assumed the Examiner refers to U.S. Patent No. 5,502,713.

2. The Examiner's rejection of claims 1, 6-12 and 17-24 under 35 U.S.C §103(a) over Lagerqvist in view of Wood is respectfully traversed.

Lagerqvist discloses a speech decoder utilizing a state machine (Col. 7, line 38 - Col. 8 line 19).

According to the Examiner "if the soft error concealment means cannot correct errors in the current frame, the current frame is muted, and the speech decoder does not need to decode the muted frame". (Col. 7, line 55 - Col. 8, line 19).

This is not, however, the way the speech decoder of Lagerqvist discloses how the first element R0 of RC parameters of LTP (long Term Prediction) is used in the state machine. Rather, in states 6 and 7, R0 is set to value 0, which means that no speech signal is heard. (Col. 8, lines 8-10).

In states 6 and 7, no speech signal is heard, because a look-up table of the speech decoder instructs with R0 value 0, to drop the gain of speech to zero. (Col. 6, Lines 16-32). Thus, the speech decoder of Lagerqvist **does** decode the speech frame. It is only due to dropping of the gain of the speech to zero that no speech signal is heard. This presupposes that the speech decoder of Lagerqvist considers every speech frame decodable.

This does not disclose or suggest Applicant's invention as claimed, but is rather just another way of solving the problem the present invention is addressing. Some speech codecs (the

initial TETRA ACELO for example) may have such problems that if some other parameters (besides R0) have erroneous values, the speech codec may end up in a confused state, not being able to recover. In such a confused state it is not safe to feed the speech codec with speech frames even if the gain is set to zero (with R0). If in some later stage, the gain could be set to normal level, and then the problems solved by the present invention were manifested, an audio shock may result.

Thus, Lagerqvist does not disclose or suggest each limitation of Applicant's invention as recited in the claims.

The combination of Lagerqvist with Wood does not overcome at least the above-noted deficiencies.

As previously noted, Wood does not disclose or suggest at least the checking of channel decoding and checking whether the speech frame contains decodable speech as is claimed by Applicant. In Wood, the speech frame is always considered to be decodable by a speech decoder if the channel decoding indicates that the frame is acceptable.

Thus, the combination of Wood with Lagerqvist does not disclose or suggest each feature of Applicant's invention as claimed, and one of skill in the art cannot come to realize Applicant's invention by the proposed combination. Lagerqvist does not solve the problem resolved by Applicant's invention in the same way.

Applicant's invention does not rely on the controlling of the gain, but rather on the inference of the decodability of the speech frame. Therefore, Applicant's invention is able to prevent decoding of corrupted speech frames in all situations.

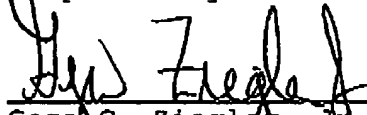
Therefore, the combination of Lagerqvist and Wood does not disclose or suggest each feature of Applicant's invention as recited in claims 1, 6-12 and 17-24.

3. Claims 2-5 and 13-16 should be allowable over the combination of Lagerqvist, Wood and Dunlop at least in view of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
Geza C. Ziegler, Jr.  
Reg. No. 44,004

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Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800 Ext. 134  
Customer No.: 2512

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